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UBER TECHNOLOGIES, INC.
14 and OTTOMOTTO LLC

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 WAYMO LLC,
19 Plaintiff,
20 v.
21 UBER TECHNOLOGIES, INC.,
22 OTTOMOTTO LLC; OTTO TRUCKING LLC,
23 Defendants.

Case No. 3:17-cv-00939-WHA

**DEFENDANTS' ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
FEBRUARY 22, 2016 TERM SHEET
PURSUANT TO MAY 25, 2017
MINUTE ORDER**

Trial Date: October 2, 2017

1 In accordance with Civil Local Rules 7-11 and 79-5, and General Order No. 62,
2 Defendants Uber Technologies, Inc. and Ottomotto LLC (“Defendants”) submit this motion for
3 an order to file under seal the confidential, unredacted version of the following document:

4 1. Entirety of February 22, 2016 Term Sheet.

5 In the May 25, 2017 Minute Order, Judge Corley instructed Uber “to file an unredacted
6 version of the February 22, 2016 Term Sheet with the Court,” and Uber “may do so under seal.”
7 (ECF No. 509.)

8 The February 22, 2016 Term Sheet contains non-public, highly confidential information
9 relating to acquisition agreements of Uber, including highly confidential business information
10 relating to Uber’s (a privately held corporation) corporate structure and highly confidential
11 information relating to terms of the agreements. It contains highly sensitive business information
12 that is not publicly known, and its confidentiality is strictly maintained. This information could
13 be used by competitors to Uber’s detriment, including in the context of negotiating business
14 deals. (Declaration of Michelle Yang In Support of Defendants’ Administrative Motion to File
15 Document Under Seal (“Yang Decl.”) ¶2.)

16 In addition, the Term Sheet discusses Uber’s proprietary and highly confidential designs
17 for Uber’s custom LiDAR system and Uber’s detailed market strategy information. If such
18 information were made public, Uber’s competitive standing could be significantly harmed.
19 (Yang Decl. ¶ 3.)

20 Pursuant to Civil Local Rule 79-5(d)(2), Defendants will lodge with the Clerk the
21 documents at issue, with accompanying chamber copies.

22 Defendants served Waymo with this Administrative Motion to File Document Under Seal
23 on May 26, 2017.

24 For the foregoing reasons, Defendants request that the Court enter the accompanying
25 Proposed Order granting Defendants’ Administrative Motion to File Document Under Seal and
26 designate the service copies of this document as “HIGHLY CONFIDENTIAL – ATTORNEYS’
27 EYES ONLY.”
28

1 Dated: May 26, 2017

MORRISON & FOERSTER LLP

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3 By: /s/ Arturo J. Gonzalez
ARTURO J. GONZALEZ

4 Attorneys for Defendants
5 UBER TECHNOLOGIES, INC.
and OTTOMOTTO LLC
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